

SECOND REGULAR SESSION

HOUSE BILL NO. 1848

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WEBB.

4632L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 477.040, 477.050, 477.060, 477.070, 477.152, 477.160, 477.170, 477.180, 477.181, 477.190, 477.191, and 477.220, RSMo, and to enact in lieu thereof seven new sections relating to court of appeals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 477.040, 477.050, 477.060, 477.070, 477.152, 477.160, 477.170, 2 477.180, 477.181, 477.190, 477.191, and 477.220, RSMo, are repealed and seven new sections 3 enacted in lieu thereof, to be known as sections 477.040, 477.050, 477.060, 477.070, 477.160, 4 477.170, and 477.180, to read as follows:

477.040. The court of appeals shall consist of three districts to be known as the [eastern, 2 southern and western] **first, second, and third** districts.

477.050. The jurisdiction of the [eastern] **first** district of the court of appeals shall be 2 coextensive with [the counties of Monroe, Shelby, Knox, Scotland, Clark, Lewis, Marion, Ralls, 3 Pike, Lincoln, Montgomery, Warren, St. Charles, St. Louis, Jefferson, Ste. Genevieve, Perry, 4 Cape Girardeau, Madison, St. Francois, Washington, Franklin, Audrain, Gasconade, Osage and 5 the city of St. Louis] **districts one through fifty-five of the Missouri house of representatives.**

477.060. The jurisdiction of the [southern] **second** district of the court of appeals shall 2 be coextensive with [the counties of Barry, Barton, Butler, Camden, Cedar, Carter, Christian, 3 Dade, Dallas, Douglas, Greene, Howell, Hickory, Jasper, Laclede, Lawrence, McDonald, 4 Newton, Ozark, Oregon, Polk, Pulaski, Phelps, Ripley, St. Clair, Shannon, Stone, Texas, Taney, 5 Webster, Wright, Dent, Crawford, Maries, Reynolds, Iron, Wayne, Bollinger, Scott, Stoddard, 6 Dunklin, Pemiscot, New Madrid and Mississippi] **districts fifty-six through one hundred nine 7 of the Missouri house of representatives.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

477.070. The jurisdiction of the [western] **third** district of the court of appeals shall be
2 coextensive with [all the counties in the state except those embraced in the jurisdiction of the
3 eastern and the southern districts of the court of appeals] **districts one hundred ten through**
4 **one hundred sixty-three of the Missouri house of representatives.**

477.160. There shall be [twelve] **eleven** judges of the [eastern] **first** district of the court
2 of appeals.

477.170. There shall be [seven] **eleven** judges of the [western] **second** district of the
2 court of appeals.

477.180. There shall be [five] **ten** judges of the [southern] **third** district of the court of
2 appeals.

[477.152. Whenever a vacancy occurs after September 3, 1970, in the
2 office of commissioner of the supreme court, a judge shall be appointed in the
3 manner prescribed by sections 25(a)-(g), article V of the Constitution of Missouri
4 to serve on the court of appeals. Appointments under this section shall be made
5 to the districts of the court of appeals in the following order: eastern, western,
6 southern, eastern, western, eastern.]

[477.181. 1. On July 1, 1979, the number of judges of the southern
2 district of the court of appeals shall be increased by one judge.

3 2. The judge appointed pursuant to the provisions of this section shall be
4 in addition to any other judges appointed to the southern district of the court of
5 appeals pursuant to other provisions of law.]

[477.190. The judgeships authorized by sections 477.160, 477.170 and
2 477.180 shall be in addition to those newly authorized after January 1, 1978, by
3 the provisions of section 477.152 or by any other law enacted at or after the
4 second regular session of the seventy-ninth general assembly.]

[477.191. 1. On January 1, 1979, the western district of the Missouri
2 court of appeals shall be increased by three judges.

3 2. The judges appointed pursuant to the provisions of this section shall
4 be in addition to any other judges appointed to the western district of the
5 Missouri court of appeals under the provisions of any other law.]

[477.220. There shall be held in each year two sessions of the southern
2 district of the court of appeals at Springfield, Missouri, at times fixed by the
3 district. And the district shall hold two sessions at Poplar Bluff, in Butler county,
4 to hear arguments, have cases submitted and hear and decide motions, the district
5 having previously determined by order, which may be changed at the pleasure of
6 the district, the time of such sittings and from what counties cases may be heard
7 at that place; provided, that, except by different stipulation of the parties, all cases

8 from the following mentioned counties shall be heard at Poplar Bluff, viz:
9 Butler, Carter, Ripley, Reynolds, Iron, Wayne, Bollinger, Scott, Stoddard,
10 Dunklin, Pemiscot, New Madrid, Crawford, Dent, Shannon, Oregon and
11 Mississippi. The district is hereby authorized to provide suitable quarters at
12 Poplar Bluff for that purpose, to be paid for as other expenses of the district are
13 paid. Each of the judges of the district shall be allowed and paid his actual
14 expenses incident to attending and holding court at Poplar Bluff, which shall be
15 paid as the salaries of the judges are now paid.]

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